

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA – SANTA ANA

SAFECO INSURANCE COMPANY
OF AMERICA, a Washington
corporation,

Plaintiff,

v.

S.J. BURKHARDT, INC., a California
corporation; S.J. & B GROUP, INC., a
California corporation; VIRGINIA M.
BLUMENTHAL, an individual;
CHARLES P. BURKHARDT aka
CHARLES P. BURKHARDT, JR., an
individual; WANDA L.
BURKHARDT, an individual;
GREGORY L. FLACHMEIER, and
individual; STEVEN J. SCHMITZ, an
individual; TERI L. SCHMITZ, an
individual; SHANNON L. STUART,
an individual; DUANE A. WILLE, an
individual, and DOES 1 through 10,

Defendants.

VIRGINIA M. BLUMENTHAL, an
individual,

Cross-Complainant,

v.

S.J. BURKHARDT, INC., a California
corporation; S.J. & B GROUP, INC., a
California corporation; CHARLES P.

Case No. SACV08-00759 (MLGx)

~~PROPOSED~~ JUDGMENT BY
STIPULATION AGAINST CROSS-
DEFENDANTS S.J. BURKHARDT,
INC. AND S.J. & B GROUP, INC.
IN FAVOR OF CROSS-
COMPLAINANT VIRGINIA
BLUMENTHAL

Judge: Hon. Andrew J. Guilford

BURKHARDT aka CHARLES P.
BURKHARDT, JR., an individual;
WANDA L. BURKHARDT, an
individual; GREGORY L.
FLACHMEIER, an individual;
STEVEN J. SCHMITZ, an individual;
TERI L. SCHMITZ, an individual;
SHANNON L. STUART, an
individual; DUANE A. WILLE, an
individual, and ROES 1 through 10,

Cross-Defendants.

VIRGINIA M. BLUMENTHAL, an
individual,

Third-Party Plaintiff,

v.

NATALIE ALMENDAREZ, an
individual,

Third-Party Defendant.

This Court has reviewed the concurrently filed Stipulation to Entry of Judgment Against Cross-Defendants S.J. Burkhardt, Inc. ("S.J. Burkhardt") and S.J. & B Group, Inc. ("SJ&B Group") in Favor of Cross-Complainant Virginia Blumenthal ("Blumenthal") in this action (the "Stipulation"). Based on the parties' Stipulation, the Court hereby finds and enters judgment against Cross-Defendants S.J. Burkhardt and SJ&B Group, jointly and severally, as follows:

1. Judgment is entered against Cross-Defendants S.J. Burkhardt and SJ&B Group on all cross-claims and causes of action asserted against S.J. Burkhardt and SJ&B Group in Blumenthal's cross-complaint in this action.

2. S.J. Burkhardt and SJ&B Group are required to and shall indemnify, pay and reimburse Blumenthal for all losses, liability, costs and expenses, including attorneys' fees and costs, incurred or to be incurred by Blumenthal in connection with this action.

3. Cross-Complainant Blumenthal shall recover from Cross-Defendants S.J. Burkhardt and SJ&B Group, and each of them, the total sum of any and all

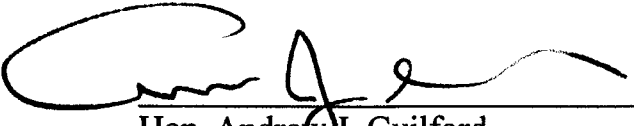
1 liability, losses, costs and expenses, including attorneys' fees and costs, incurred by
2 Blumenthal in connection with this action. At the conclusion or final resolution of
3 this Action, Blumenthal may present evidence to the Court of the amount of
4 liability, losses, costs and expenses, including attorneys' fees and costs, she has
5 incurred in connection with this action. Based on that evidence, the Court will
6 amend the judgment to state the total sum of money recoverable by Cross-
7 Complainant Blumenthal against Cross-Defendants S.J. Burkhardt and SJ&B
8 Group under this judgment.

9 4. Notwithstanding Paragraph 3, above, Cross-Complainant Blumenthal
10 is entitled to immediately recover from Cross-Defendants S.J. Burkhardt and SJ&B
11 Group, and each of them, the total sum of attorneys' fees and costs incurred by
12 Blumenthal in connection with the action, through and including the date of entry
13 of this judgment, in the amount of \$148,551.05.

14 5. Cross-Complainant Blumenthal is entitled to post-judgment interest at
15 the statutory rate of ten percent (10%) per annum on all amounts recoverable under
16 this judgment.

17 6. The Court retains jurisdiction over this matter for all purposes,
18 including without limitation (a) for the calculation of total sum recoverable by
19 Blumenthal against Cross-Defendants S.J. Burkhardt and SJ&B Group as provided
20 in Paragraph 3, above, (b) for enforcement of the terms of this Judgment and/or
21 (c) for any other purpose related to this Judgment.

22
23
24 DATED: FEB 28, 2009


Hon. Andrew J. Guilford
United States District Court Judge